

107TH CONGRESS
1ST SESSION

S. 509

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2001

Referred to the Committee on Resources

AN ACT

To establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kenai Mountains-
5 Turnagain Arm National Heritage Corridor Act of 2001”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the Kenai Mountains-Turnagain Arm trans-
4 portation corridor is a major gateway to Alaska and
5 includes a range of transportation routes used first
6 by indigenous people who were followed by pioneers
7 who settled the Nation’s last frontier;

8 (2) the natural history and scenic splendor of
9 the region are equally outstanding; vistas of nature’s
10 power include evidence of earthquake subsidence, re-
11 cent avalanches, retreating glaciers and tidal action
12 along Turnagain Arm, which has the world’s second
13 greatest tidal range;

14 (3) the cultural landscape formed by indigenous
15 people and then by settlement, transportation and
16 modern resource development in this rugged and
17 often treacherous natural setting stands as powerful
18 testimony to the human fortitude, perseverance, and
19 resourcefulness that is America’s proudest heritage
20 from the people who settled the frontier;

21 (4) there is a national interest in recognizing,
22 preserving, promoting, and interpreting these re-
23 sources;

24 (5) the Kenai Mountains-Turnagain Arm region
25 is geographically and culturally cohesive because it is
26 defined by a corridor of historic routes—trail, water,

1 railroad, and roadways through a distinct landscape
2 of mountains, lakes, and fjords;

3 (6) national significance of separate elements of
4 the region include, but are not limited to, the
5 Iditarod National Historic Trail, the Seward High-
6 way National Scenic Byway, and the Alaska Rail-
7 road National Scenic Railroad;

8 (7) national Heritage Corridor designation pro-
9 vides for the interpretation of these routes, as well
10 as the national historic districts and numerous his-
11 toric routes in the region as part of the whole pic-
12 ture of human history in the wider transportation
13 corridor including early Native trade routes, connec-
14 tions by waterway, mining trail, and other routes;

15 (8) national Heritage Corridor designation also
16 provides communities within the region with the mo-
17 tivation and means for “grass roots” regional coordi-
18 nation and partnerships with each other and with
19 borough, State, and Federal agencies; and

20 (9) national Heritage Corridor designation is
21 supported by the Kenai Peninsula Historical Asso-
22 ciation, the Seward Historical Commission, the Sew-
23 ard City Council, the Hope and Sunrise Historical
24 Society, the Hope Chamber of Commerce, the Alas-
25 ka Association for Historic Preservation, the Cooper

1 Landing Community Club, the Alaska Wilderness
2 Recreation and Tourism Association, Anchorage
3 Historic Properties, the Anchorage Convention and
4 Visitors Bureau, the Cook Inlet Historical Society,
5 the Moose Pass Sportsman's Club, the Alaska His-
6 torical Commission, the Girdwood Board of Super-
7 visors, the Kenai River Special Management Area
8 Advisory Board, the Bird/Indian Community Coun-
9 cil, the Kenai Peninsula Borough Trails Commis-
10 sion, the Alaska Division of Parks and Recreation,
11 the Kenai Peninsula Borough, the Kenai Peninsula
12 Tourism Marketing Council, and the Anchorage Mu-
13 nicipal Assembly.

14 (b) PURPOSES.—The purposes of this Act are—

15 (1) to recognize, preserve, and interpret the his-
16 toric and modern resource development and cultural
17 landscapes of the Kenai Mountains-Turnagain Arm
18 historic transportation corridor, and to promote and
19 facilitate the public enjoyment of these resources;
20 and

21 (2) to foster, through financial and technical
22 assistance, the development of cooperative planning
23 and partnerships among the communities and bor-
24 ough, State, and Federal Government entities.

1 **SEC. 3. DEFINITIONS**

2 In this Act:

3 (1) HERITAGE CORRIDOR.—The term “Herit-
4 age Corridor” means the Kenai Mountains-
5 Turnagain Arm National Heritage Corridor estab-
6 lished by section 4(a) of this Act.

7 (2) MANAGEMENT ENTITY.—The term “man-
8 agement entity” means the 11 member Board of Di-
9 rectors of the Kenai Mountains-Turnagain Arm Na-
10 tional Heritage Corridor Communities Association, a
11 non-profit corporation, established in accordance
12 with the laws of the State of Alaska.

13 (3) MANAGEMENT PLAN.—The term “manage-
14 ment plan” means the management plan for the
15 Heritage Corridor.

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 4. KENAI MOUNTAINS-TURNAGAIN ARM NATIONAL**
19 **HERITAGE CORRIDOR.**

20 (a) ESTABLISHMENT.—There is established the
21 Kenai Mountains-Turnagain Arm National Heritage Cor-
22 ridor.

23 (b) BOUNDARIES.—The Heritage Corridor shall com-
24 prise the lands ion the Kenai Mountains and upper
25 Turnagain Arm region generally depicted on the map enti-
26 tled “Kenai Peninsula/Turnagain Arm National Heritage

1 Corridor”, numbered “Map #KMTA—1, and dated “Au-
 2 gust 1999”. The map shall be on file and available for
 3 public inspection in the offices of the Alaska Regional Of-
 4 fice of the National Park Service and in the offices of the
 5 Alaska State Heritage Preservation Officer.

6 **SEC. 5. MANAGEMENT ENTITY.**

7 (a) To carry out the purposes of this Act, the Sec-
 8 retary shall enter into a cooperative agreement with the
 9 management entity. The cooperative agreement shall be
 10 prepared with public participation and shall include infor-
 11 mation relating to the objectives and management of the
 12 Heritage Corridor, including the following:

13 (1) A discussion of the goals and objectives of
 14 the Heritage Corridor.

15 (2) An explanation of the proposed approach to
 16 conservation and interpretation of the Heritage Cor-
 17 ridor.

18 (3) A general outline of the protection meas-
 19 ures, to which the management entity commits.

20 (b) Nothing in this Act authorizes the management
 21 entity to assume any management authorities or respon-
 22 sibilities on Federal lands.

23 (c) Representatives of other organizations shall be in-
 24 vited and encouraged to participate with the management
 25 entity and in the development and implementation of the

1 management plan, including but not limited to: The State
 2 Division of Parks and Outdoor Recreation; the State Divi-
 3 sion of Mining, Land and Water; the Forest Service; the
 4 State Historic Preservation Office; the Kenia Peninsula
 5 Borough, the Municipality of Anchorage; the Alaska Rail-
 6 road, the Alaska Department of Transportation; and the
 7 National Park Service.

8 **SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT ENTI-**
 9 **TY.**

10 (a) MANAGEMENT PLAN.—

11 (1) IN GENERAL.—Not later than 3 years after
 12 the Secretary enters into a cooperative agreement
 13 with the management entity, the management entity
 14 shall develop a management plan for the Heritage
 15 Corridor, taking into consideration existing Federal,
 16 State, borough, and local plans.

17 (2) CONTENTS.—The management plan shall
 18 include, but not be limited to—

19 (A) comprehensive recommendations for
 20 conservation, funding, management, and devel-
 21 opment of the Heritage Corridor;

22 (B) a description of agreements on actions
 23 to be carried out by public and private organi-
 24 zations to protect the resources of the Heritage
 25 Corridor;

1 (C) a list of specific and potential sources
2 of funding to protect, manage, and develop the
3 Heritage Corridor;

4 (D) an inventory of the known cultural and
5 historic resources contained in the Heritage
6 Corridor; and

7 (E) a description of the role and participa-
8 tion of other Federal, State, and local agencies
9 that have jurisdiction on lands within the Herit-
10 age Corridor.

11 (b) PRIORITIES.—The management entity shall give
12 priority to the implementation of actions, goals, and poli-
13 cies set forth in the cooperative agreement with the Sec-
14 retary and the management plan, including assisting com-
15 munities within the region in—

16 (1) carrying out programs which recognize im-
17 portant resource values in the Heritage Corridor;

18 (2) encouraging economic viability in the af-
19 fected communities;

20 (3) establishing and maintaining interpretive
21 exhibits in the Heritage Corridor;

22 (4) improving and interpreting heritage trails;

23 (5) increasing public awareness and apprecia-
24 tion for the natural, historical, and cultural re-

1 sources and modern resource development of the
2 Heritage Corridor;

3 (6) restoring historic buildings and structures
4 that are located within the boundaries of the Herit-
5 age Corridor; and

6 (7) ensuring that clear, consistent, and appro-
7 priate signs identifying public access points and sites
8 of interest are placed throughout the Heritage Cor-
9 ridor.

10 (c) PUBLIC MEETINGS.—The management entity
11 shall conduct 2 or more public meetings each year regard-
12 ing the initiation and implementation of the management
13 plan for the Heritage Corridor. The management entity
14 shall place a notice of each such meeting in a newspaper
15 of general circulation in the Heritage Corridor and shall
16 make the minutes of the meeting available to the public.

17 **SEC. 7. DUTIES OF THE SECRETARY.**

18 In accordance with the terms and conditions of the
19 cooperative agreement and upon the request of the man-
20 agement entity, and subject to the availability of funds,
21 the Secretary may provide administrative, technical, finan-
22 cial, design, development, and operations assistance to
23 carry out the purposes of this Act.

1 **SEC. 8. SAVINGS PROVISIONS.**

2 (a) REGULATORY AUTHORITY.—Nothing in this Act
3 shall be construed to grant powers of zoning or manage-
4 ment of land use to the management entity of the Herit-
5 age Corridor.

6 (b) EFFECT ON AUTHORITY OF GOVERNMENTS.—
7 Nothing in this Act shall be construed to modify, enlarge,
8 or diminish any authority of the Federal, State, or local
9 governments to manage or regulate any use of land as pro-
10 vided for by law or regulation.

11 (c) EFFECT ON BUSINESS.—Nothing in this Act shall
12 be construed to obstruct or limit business activity on pri-
13 vate development or resource development activities.

14 **SEC. 9. PROHIBITION ON THE ACQUISITION OR REAL PROP-**
15 **ERTY.**

16 The management entity may not use funds appro-
17 priated to carry out the purposes of this Act to acquire
18 real property or interest in real property.

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) FIRST YEAR.—For the first year \$350,000 is au-
21 thorized to be appropriated to carry out the purposes of
22 this Act, and is made available upon the Secretary and
23 the management entity entering into a cooperative agree-
24 ment as authorized in section 3.

25 (b) IN GENERAL.—There is authorized to be appro-
26 priated not more than \$1,000,000 to carry out the pur-

1 poses of this Act for any fiscal year after the first year.
2 Not more than \$10,000,000, in the aggregate, may be ap-
3 propriated for the Heritage Corridor.

4 (c) MATCHING FUNDS.—Federal funding provided
5 under this Act shall be matched at least 25 percent by
6 other funds or in-kind services.

7 (d) SUNSET PROVISION.—The Secretary may not make
8 any grant or provide any assistance under this Act beyond
9 15 years from the date that the Secretary and manage-
10 ment entity complete a cooperative agreement.

Passed the Senate August 3, 2001.

Attest:

JERI THOMSON,
Secretary.